

PTO/SB/13 (11-96)  
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## REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
3069	CLASS 436	SUBCLASS 518	J. Grun	1641

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.60, of pending prior Application Number 08 / 981,665, filed on Nov. 5, 1997, entitled DEVICE FOR THE COLLECTION, TESTING, AND SHIPMENT OF BODY FLUID SAMPLES

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 08 / 981,665, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	6	- 20 =	--	x \$ _____ =	\$ --
INDEPENDENT CLAIMS (37 CFR 1.16(d))	2	- 3 =	--	x \$ _____ =	--
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ _____ =	
	BASIC FEE (37 CFR 1.16(a))				+
	Total of above Calculations =				740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				370.00
	TOTAL =				370.00

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  
☐ is enclosed.  
☒ was filed in prior application number 08 / 981,665 and such status is still proper and desired (37 CFR 1.28(a)).
3. ☐ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
4. ☒ A check in the amount of \$ 370.00 is enclosed.
5. ☒ Cancel in this application original claims 1-4 and 6-15 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. ☒ The inventor(s) of the invention being claimed in this application is (are): Stan Cipkowski
7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
8. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☐ continuation ☒ division of application number 08 / 981,665, filed Nov. 5, 1997, ~~(status abandoned, pending, etc.)~~, which is /

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/13 (11-96)

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**(REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60, PAGE 2)**9. ☒ New formal drawings are enclosed.10. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_  
is claimed under 35 U.S.C. 119(a) - (d).☐ The certified copy has been filed in prior application number \_\_\_\_ / \_\_\_\_\_, filed \_\_\_\_\_.11. ☒ A preliminary amendment is enclosed.12. ☒ The prior application is assigned of record to American Bio Medica Corporation  
of Ancramdale, N.Y., a New York corporation13. ☐ Also enclosed:14. ☒ The power of attorney in the prior application is to: Edmund M. Jaskiewicz, Reg. No. 17875  
1730 M Street NW, Suite 400, Washington, D.C. 20036a. ☒ The power of attorney appears in the original papers in the prior application.b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior  
application is enclosed.c. ☒ Address all future correspondence to: (May only be completed by applicant, or attorney  
or agent of record.)☐ Customer Number

OR

Type Customer Number here

Place Customer Number Bar  
Code Label here☒ Firm or☒ Individual Name Edmund M. JaskiewiczAddress 1730 M Street NWAddress Suite 400City WashingtonState D.C.ZIP 20036Country U.S.A.Telephone 202-296-2900Fax 202-296-1370Nov. 6, 2001

Date

Signature

Edmund M. Jaskiewicz

Typed or printed name

☐ Inventor(s)☐ Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.☒ Attorney or agent of record☐ Filed under 37 CFR 1.34(a)

Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_.

[Page 2 of 2]

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Stan Cipkowski

Serial No.: 0 /

Group No.:

Filed:

Examiner:

For: DEVICE FOR THE COLLECTION, TESTING, AND SHIPMENT OF  
BODY FLUID SAMPLES**STATEMENT BY ATTORNEY THAT APPLICATION  
PAPERS ARE A TRUE COPY OF  
PRIOR APPLICATION (37 CFR 1.60)**

NOTE: Under 37 CFR 1.60 practice signing and execution of the application by the applicant may be omitted provided the copy is supplied by and accompanied by a statement by the applicant or his or her attorney or agent that the application papers comprise a true copy of the prior application as filed and that no amendments referred to in the declaration filed to complete the prior application introduced new matter therein.

NOTE: This statement need not be verified if made by an attorney registered to practice before the PTO. (37 CFR 1.60(b)).

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed (37 CFR 1.60).

The copy of the papers of prior application as filed which are attached are as follows:

- ☒ 15 page(s) of specification
- ☒ 4 page(s) of claims
- ☒ 1 page(s) of abstract
- ☒ 5 sheet(s) of drawing
- ☒ 5 pages of declaration and power of attorney

If the copy of the declaration being filed does not show applicant's signature or an indication thereon that it was signed then complete the following:

- ☐ in accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration showing applicant's signature was filed on \_\_\_\_\_.

(complete the following, if applicable)

- ☐ the amendment referred to in the declaration filed to complete the prior application and I hereby state, in accordance with the requirements of 37 CFR 1.60(b), that this amendment did not introduce new matter therein.

Reg. No. 17875

Tel. No.: (202)-296-2900

SIGNATURE OF ATTORNEY

Edmund M. Jaskiewicz

Type or print name of attorney

1730 M Street NW Suite 400

P.O. Address

Washington, D.C. 20036

x,4-43,41